

Message Text

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ACTION L-03

INFO OCT-01 IO-10 ISO-00 ACDA-10 DHA-02 AF-06 ARA-10 EA-09

EUR-12 NEA-10 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05 PA-02 PRS-01

SP-02 SS-15 /111 W

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC IMMEDIATE 4328

UNCLAS USUN 6240

E.O. 11652: N/A

TAGS: UN, PFOR, SHUM

SUBJECT: UNGA LEGAL COMITE: RESPECT FOR HUMAN RIGHTS IN
ARMED CONFLICT

FOLLOWING IS TEXT OF DRAFT RESOLUTION WHICH SWEDES, ON BEHALF
SEVERAL COSPONSORS, INTEND SUBMIT ON SUBJECT ITEM TO SECRETARIAT
FOR CIRCULATION, TOMORROW, TUESDAY AM NOVEMBER 25. IF DEPT
PERCEIVES MAJOR DIFFICULTY WITH TEXT, PLEASE ADVISE BEFORE
10:00 AM NOVEMBER 25. DEPT SHOULD NOTE THAT THE RESOLUTION
REFERRED TO IN LAST PREAMBULAR PARAGRAPH IS DRAFT RESOLUTION
A/C.1/L.728 (SEE USUN 6043) CURRENTLY BEFORE FIRST COMMITTEE.

QUOTE THE GENERAL ASSEMBLY,

CONSCIOUS THAT A BETTER APPLICATION OF EXISTING HUMANI-
TARIAN RULES RELATING TO ARMED CONFLICTS AND THE DEVELOPMENT
OF FURTHER RULES REMAINS AN URGENT TASK IN ORDER TO REDUCE
THE SUFFERING BROUGHT BY ALL SUCH CONFLICTS,

RECALLING THE SUCCESSIVE RESOLUTIONS ADOPTED IN THE PRE-
CEDING YEARS BY THE UNITED NATIONS RELATING TO HUMAN RIGHTS
IN ARMED CONFLICTS AND THE DEBATES ON THIS SUBJECT,

NOTING THE REPORT OF THE SECRETARY-GENERAL ON THE SECOND
SESSION OF THE DIPLOMATIC CONFERENCE ON THE REAFFIRMATION
AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE
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IN ARMED CONFLICTS HELD AT GENEVA FROM 3 FEBRUARY TO 18 APRIL,

1975 (A/10195),

NOTING ALSO THE REPORT OF THE SECRETARY-GENERAL ON HUMAN RIGHTS IN ARMED CONFLICTS: PROTECTION OF JOURNALISTS ENGAGED IN DANGEROUS MISSIONS IN AREAS OF ARMED CONFLICTS (A/10147).

WELCOMING THE SUBSTANTIAL PROGRESS MADE AT THE SECOND SESSION OF THE DIPLOMATIC CONFERENCE.

NOTING THE RESOLUTION--(XXX) INVITING THE DIPLOMATIC CONFERENCE TO CONTINUE ITS CONSIDERATION OF THE USE OF SPECIFIC CONVENTIONAL WEAPONS INCLUDING ANY WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS, AND ITS SEARCH FOR AGREEMENT FOR HUMANITARIAN REASONS ON POSSIBLE RULES PROHIBITING OR RESTRICTING THE USE OF SUCH WEAPONS.

1. CALLS UPON ALL PARTIES TO ARMED CONFLICTS TO ACKNOWLEDGE AND TO COMPLY WITH THEIR OBLIGATIONS UNDER THE HUMANITARIAN INSTRUMENTS AND TO OBSERVE THE INTERNATIONAL HUMANITARIAN RULES WHICH ARE APPLICABLE, IN PARTICULAR THE HAGUE CONVENTIONS OF 1899 AND 1907, THE GENEVA PROTOCOL OF 1925 AND THE GENEVA CONVENTION OF 1949,

2. CALLS THE ATTENTION OF THE DIPLOMATIC CONFERENCE ON THE REAFFIRMATION AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CONFLICTS AND THE GOVERNMENTS AND ORGANIZATIONS PARTICIPATING IN IT, TO THE NEED FOR MEASURES TO PROMOTE ON A UNIVERSAL BASIS THE DISSEMINATION OF AND INSTRUCTION IN THE RULES OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CONFLICTS,

3. URGES ALL PARTICIPANTS IN THE DIPLOMATIC CONFERENCE TO DO THEIR UTMOST TO REACH AGREEMENT ON ADDITIONAL RULES WHICH MAY HELP TO ALLEVIATE THE SUFFERING BROUGHT ABOUT BY ARMED CONFLICTS AND TO RESPECT AND PROTECT NON-COMBATANTS AND CIVILIAN OBJECTS IN SUCH CONFLICTS,

4. TAKES NOTE, WITH APPRECIATION, OF THE DECISION AT THE CONFERENCE ON THE QUESTION OF THE PROTECTION OF JOURNALISTS ENGAGED IN DANGEROUS PROFESSIONAL MISSIONS IN AREAS OF ARMED CONFLICTS, AND OF THE INTENTION OF THE CONFERENCE TO COMPLETE ITS WORK ON THE SUBJECT DURING ITS NEXT SESSION.

5. EXPRESSES ITS APPRECIATION TO THE SWISS FEDERAL COUNCIL FOR CONVOKING THE THIRD SESSION OF THE DIPLOMATIC CONFERENCE ON THE REAFFIRMATION AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CONFLICTS FROM 21 APRIL
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TO 11 JUNE 1976 AND TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS FOR INVITING TO A SECOND CONFERENCE OF GOVERNMENT EXPERTS ON WEAPONS THAT MAY CAUSE UNNECESSARY SUFFERING OR HAVE INDISCRIMINATE EFFECTS TO BE HELD AT LUGANO FROM 28 JANUARY TO 26 FEBRUARY 1976,

6. REQUESTS THE SECRETARY-GENERAL TO REPORT TO THE GENERAL ASSEMBLY AT ITS THIRTY-FIRST SESSION ON RELEVANT DEVELOPMENTS CONCERNING HUMAN RIGHTS IN ARMED CONFLICTS, IN PARTICULAR ON

THE PROCEEDINGS AND RESULTS OF THE 1976 SESSION OF THE
DIPLOMATIC CONFERENCE,

7. DECIDES TO INCLUDE IN THE PROVISIONAL AGENDA OF ITS
THIRTY-FIRST SESSION THE ITEM ENTITLED "RESPECT FOR HUMAN
RIGHTS IN ARMED CONFLICTS". UNQUOTE
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